

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BUZZMARKETING, LLC,

Plaintiff,

v.

THE UPPER DECK COMPANY, LLC,

Defendant.

Civil Action No. 03-4392

**DEFENDANT'S MOTION REQUESTING ORAL ARGUMENT  
ON DEFENDANT'S MOTION FOR SUMMARY JUDGMENT  
OR IN THE ALTERNATIVE PARTIAL SUMMARY JUDGMENT**

Defendant, The Upper Deck Company, LLC, by and through its attorneys, Marshall, Dennehey, Coleman & Goggin, and Markun Zusman & Compton, LLP, hereby requests oral argument on Defendant's motion for summary judgment of all the claims in this action, or in the alternative partial summary judgment on individual claims. In support thereof, Defendant submits this motion, and incorporates by reference the attached memorandum of law.

Accordingly, Defendant respectfully requests that this Honorable Court grant the instant motion.

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Attorneys for Defendant,  
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Date: March 15, 2004

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BUZZMARKETING, LLC,

Plaintiff,

v.

THE UPPER DECK COMPANY, LLC,

Defendant.

Civil Action No. 03-4392

**MEMORANDUM OF LAW IN SUPPORT OF  
DEFENDANT’S MOTION REQUESTING ORAL ARGUMENT ON  
DEFENDANT’S MOTION FOR SUMMARY JUDGMENT  
OR IN THE ALTERNATIVE PARTIAL SUMMARY JUDGMENT**

Defendant, The Upper Deck Company, LLC (“Upper Deck”), by and through its attorneys, Marshall, Dennehey, Warner, Coleman & Goggin, and Markun Zusman & Compton, LLP, hereby submits this Memorandum of Law In Support of its Motion Requesting Oral Argument On Defendant’s Motion for Summary Judgment or In The Alternative Partial Summary Judgment.

Upper Deck requests oral argument on its motion for summary judgment or in the alternative partial summary judgment because it is an interested party within the meaning of Rule 7.1(f) of the Court’s Local Rules of Civil Procedure.

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Attorneys for Defendant,  
The Upper Deck Company, LLC

Date: March 15, 2004

**CERTIFICATE OF SERVICE**

I, Samuel E. Cohen, Esquire, hereby certify that a true and correct copy of Defendant's Motion Requesting Oral Argument On Defendant's Motion For Summary Judgment or in the Alternative Partial Summary Judgment was served on this 26th day of March, 2004, via first class mail, postage prepaid, upon the following:

Kathleen K. Barksdale, Esquire  
John Churchman Smith & Associates, P.C.  
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SAMUEL E. COHEN, ESQUIRE